UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/52/126
28 April 1997

ORIGINAL: ENGLISH

Fifty-second session
Items 71 and 82 of the preliminary list*

GENERAL AND COMPLETE DISARMAMENT

REVIEW OF THE IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY

Letter dated 25 April 1997 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government, and with reference to the letter dated 18 April 1997 from the Permanent Representative of the Netherlands to the United Nations and its annex (A/52/120), I have the honour to bring the following to your attention.

The Islamic Republic of Iran rejects categorically allegations contained in the annex and the pseudo-legal proceedings to which it refers, condemning both as a most grave breach of the fundamental principles of international law, particularly the principles of sovereign equality, non-interference in the internal affairs of States and jurisdictional immunities of States. We find the wording and the context of the annexed statement of 10 April 1997 of the Presidency of the European Union concerning Iran to be baseless, presumptuous and arrogant for the following reasons:

1. The statement of the Presidency of the European Union contends that "the findings" of the Mykonos Court "established the involvement of Iranian authorities". In fact, the presiding judge of a domestic court in Berlin, explaining his decision in the trial of five individuals, went far beyond his court's jurisdiction and without producing a shred of evidence levelled unfounded and malicious allegations against the Islamic Republic of Iran. The Foreign Minister of the Islamic Republic of Iran, in his letter of 15 April 1997 to his colleagues, described the political nature of the proceedings and the accusations.

* A/52/50.

It is evident that contrary to the presumptuous contention of the Presidency of the European Union, the explanatory statement of the Mykonos judge does not even claim to be and certainly does not amount to a "finding" nor can it "establish" anything, particularly in light of the following factual and legal considerations:

1.1. Violation of the principle of jurisdictional immunity of States

The explanatory statement violates a well-established principle of international law, namely, the jurisdictional immunities of States. In accordance with this principle, domestic courts of any State are incompetent and lack any jurisdiction to hear claims against another sovereign State and its officials acting in their sovereign capacities.

The very fact that the Mykonos judge explicitly stated that the Islamic Republic of Iran was not the subject of trial indicates the court's recognition of its lack of jurisdiction and indeed rejects any contention that the court made any "findings" or "established" any fact regarding the Islamic Republic of Iran or its officials. It is regrettable that the Presidency of the European Union neglects this very obvious legal consideration.

1.2. Lack of any evidence and total reliance on biased witnesses with no credibility

The prosecution never provided any evidence to corroborate its irresponsible allegations against the Islamic Republic of Iran and its senior officials. It based its malicious accusations against Iran solely on hearsay and biased testimony of politically motivated witnesses who appeared before the court. None of these witnesses could be expected, or were in a position, to produce reliable testimony before the court.

The witnesses were exclusively assembled from a group of sworn enemies of the Iranian Government and members and supporters of terrorist and armed separatist groups, whose stated objective as well as behaviour before the court clearly illustrated that their only aim was to discredit Iran and not to help the court to ascertain the facts. The witness list even included individuals who are wanted by the Iranian judicial authorities for criminal offences such as hijacking and other terrorist activities resulting in the murder of Iranian officials as well as ordinary civilians inside the Islamic Republic of Iran. Therefore, the explanatory statement of the presiding judge, which is based solely upon the perjury of witnesses extremely hostile to Iran, who would have been automatically disqualified in any serious tribunal because of their terrorist activities and criminal pasts or at least their biased views, is an ex parte ruling and, as such, has no legal basis or value.

1.3. Rejection of the offer of cooperation by Iran

While the validity and applicability of the principle of jurisdictional immunity of States in this case is absolute and unquestionable, and the trial of foreign States before national courts is illegal and unacceptable, the Ambassador of the Islamic Republic of Iran to Germany, in a letter dated 12 April 1995 to the presiding judge, categorically rejected the accusations and stated his readiness to provide sufficient information which would prove beyond any doubt the fallacious nature of the allegations. Surprisingly, the court did not avail itself of this offer, indicating that the court never intended to test the validity of the accusations of its tainted witnesses against Iran.

1.4. Total lack of due process of law

The greatest bulk of testimony as well as the claim by the prosecution and the explanatory remarks by the presiding judge contain accusations against Iran and a number of its senior officials, who are not and could not have been subjects of the proceedings, and thus by reasons of law and circumstances could not have benefited from any defence and rebuttal of the politically motivated and baseless allegations levelled against them. In addition to violating the fundamental principle of state immunity as well as the generally accepted rules of evidence, the failure of the court to refrain from accusing others outside its jurisdiction and without recourse to universally recognized legal guarantees constitutes clear evidence of disrespect for the rule of law, the requirements of due process and fundamental principles of human rights. This, in and of itself, is sufficient proof that the court has not acted in accordance with fundamental rules of judicial proceedings and instead opted for political statements.

1.5. Improper and political language of the court

The explanatory remarks of the presiding judge resemble more a political manifesto than a legal document. The judicially improper and biased terminology utilized by the judge in his explanatory remarks leaves no doubt that he was, at the very least, completely prejudiced against the Islamic Republic of Iran. Inclusion of phrases such as "Iranian regime", and "so-called religious Government" are all indications of the preconceived position of the court towards Iran and its form of government. Furthermore, the court's reference to terrorist operations of certain separatist groups based in Iraq as "the struggle of the Kurds to attain autonomy" not only indicates its total bias, but also illustrates that it has arrogantly ventured in its proceedings into areas completely outside its competence, committing a grave breach of the principle of non-interference.

The abnormal and unjudicial behaviour of the court reaffirms that the explanatory statement has no legal value and is only a political declaration prepared to be exploited for the political objective of distorting the image of Iran. In the same context, the statement by the Presidency of the European Union constitutes an even more dangerous contempt for justice and international law, by purporting, against all legal principles and factual evidence and even

the court's own disclaimer, that there had been a legal investigation of Iranian involvement, leading to a "finding" by the court "establishing" such an involvement.

2. The statement makes self-centred statements about the so-called critical dialogue. The Islamic Republic of Iran has made its views crystal-clear on the critical dialogue. Iran welcomed dialogue with the European Union as a mechanism for serious discussion of issues, proper understanding of differences and practical steps for promoting understanding and cooperation. We engaged in the dialogue in good faith, making concrete proposals on various items of mutual interest or concern. It has become clear, however, that certain elements within the European Union have continued to obstruct a serious dialogue and attempted to use it as a vehicle for political pressure. As the spokesman of the Foreign Ministry of the Islamic Republic of Iran clarified on 11 April 1997, "as long as the European Union fails to act in good faith and avoid sensationalism and arrogance, Iran considers the dialogue as useless and futile".

3. While the statement of the Presidency makes the most unfounded accusations against the Islamic Republic of Iran and its senior officials, it calls upon the Iranian Government to "take measures against possible ... accusations against any Member State". This represents another indication of a self-centred and arrogant approach, reminiscent of their colonial past which the Islamic Republic of Iran has consistently challenged and hereby condemns.

In fact, in the course of the critical dialogue, the Islamic Republic of Iran has brought to the attention of the European Union and its member States many cases of grave violations of international law by members of the European Union, resulting in irreparable damage to Iran and its citizens. One of the most important areas of concern has been the failure of European Union member States to live up to their commitments on combating terrorism. The continued presence and activity of members of terrorist organizations - acknowledged by many European Union members as being involved in terrorism - in European Union countries has enabled terrorists to plan, organize and finance terrorist operations from Europe against Iran and its citizens, resulting in enormous loss of life and property. The fact that many known and indicted terrorists were paraded during the court proceedings in Berlin as so-called witnesses under the protection of German authorities is tantamount to state sponsorship of terrorism.

Moreover, many members of the European Union have supplied and continue to supply huge quantities of weapons of war to our region, contributing to instability and tension. It has become universally known, particularly as a result of the investigations of Iraqi chemical facilities, that many in Germany were involved in the supply of banned chemicals to Iraq as well as in the development of its chemical weapons and missile facilities. A large number of Iranian citizens lost their lives or were critically injured by these inhuman weapons. As announced by the pertinent judicial authorities of the Islamic Republic of Iran, the victims or their families have instituted legal proceedings against those involved in this crime. It would certainly be totally unacceptable for any authority to try to interfere in judicial proceedings.

At the same time, while reiterating its commitment to take necessary measures to ensure the safety, security and integrity of all foreign individuals and institutions, the Islamic Republic of Iran expects member States of the European Union to ensure the same in their respective countries.

In conclusion, it is evident that the tendency of certain States and their domestic organs to arrogate to themselves authority concerning issues beyond their competence in order to serve certain ulterior political objectives is dangerous and must be arrested. It would be particularly so when in the process universally recognized rules of international law as well as fundamental principles of fairness, due process and human rights are totally disregarded in order to arrive at self-serving conclusions. Such is the case in the irresponsible and baseless accusations levelled by a local German court and repeated and even further distorted by the Presidency of the European Union, callously and maliciously infringing upon the sovereignty, political independence and national dignity of the Islamic Republic of Iran. It is necessary to unequivocally condemn and reject this behaviour as totally unacceptable in the conduct of international affairs and detrimental to the cause of international peace and security.

It would be highly appreciated if this letter were circulated as a document of the General Assembly under items 71 and 82 of the preliminary list.

(Signed) Majid TAKHT-RAVANCHI
Ambassador
Chargé d'affaires a.i.

UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/52/127
28 April 1997

ORIGINAL: ENGLISH

Fifty-second session
Item 106 of the preliminary list*

INTERNATIONAL DRUG CONTROL

Letter dated 23 April 1997 from the Permanent Representative of Cambodia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a copy of a letter dated 23 April 1997 from His Royal Highness Prince Norodom Ranariddh, First Prime Minister of the Royal Government of Cambodia, addressed to you regarding the illicit drug trafficking in Cambodia.

I should be grateful if you would have the text of the letter and its annex circulated as a document of the General Assembly under agenda item 106 of the preliminary list.

(Signed) SISOWATH Sirirath
Ambassador Extraordinary and Plenipotentiary
Permanent Representative

* A/52/50.

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ANNEX

Letter dated 23 April 1997 from the First Prime Minister of Cambodia addressed to the Secretary-General

Recent serious events in Cambodia concerning illicit drug trafficking have highlighted the urgency to control these current trends. If professional assistance is not received urgently then all efforts made by the international community, foreign Governments and the Cambodian people themselves will have been in vain. The trafficking of drugs threatens to destroy the very fabric of Cambodian life.

It is for this reason that I am appealing to you, in accordance with the principles of the Fund of the United Nations International Drug Control Programme, which was established by the United Nations General Assembly in 1992 as the major source within the United Nations system for financial and technical assistance, mainly to developing countries.

This programme can truly show its concern and altruistic ideals by serving as a worldwide centre of expertise and information on drug abuse and play a major role in monitoring developments in this field, in conjunction with advising on methods to integrate rural development and crop subsidization for our rural poor, who have been lured into this illegal industry. Your invaluable experience can recommend appropriate vital action by providing financial and technical assistance to the Royal Government of Cambodia and its people.

Officials at all levels of the Royal Government of Cambodia, including myself, stand ready to toil hand-in-hand with any team you may see fit to dispatch to Cambodia to assist us in combating this reprehensible situation which is becoming a grave threat to Cambodian society.

I look forward to your response and eagerly await details of how you may plan to join the people of Cambodia in this worldwide danger to all mankind.

(Signed) Norodom RANARIDDH

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/52/128
29 April 1997
ENGLISH
ORIGINAL: ENGLISH AND
SPANISH

Fifty-second session
Item 80 of the preliminary list*

CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION

Note verbale dated 28 April 1997 from the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General

The Permanent Mission of Cuba to the United Nations presents its compliments to the Secretary-General and, with regard to item 80 of the preliminary list, has the honour to convey hereby a report on the appearance in Cuba of the Thrips palmi plague (see annex).

In this respect, the Permanent Mission of Cuba to the United Nations, following instructions from its Government, kindly requests that the present letter and the attached report be circulated to all Member States as an official document of the General Assembly.

* A/52/50.

ANNEX

[Original: English, French and Spanish]

Information about the appearance in Cuba of the Thrips palmi plague

I. DESCRIPTION OF THE FACTS

1. On 21 October 1996, at 10.08 hours, crew members of scheduled flight CU-170 of Cubana de Aviación (Cuban Airlines), on board a Fokker-27 aircraft, flying the Havana-Las Tunas route, upon crossing the Girón air corridor in the western region of Cuba, noticed a single-engine airplane flying from north to south, at about 1,000 feet (300 metres) above them, apparently spraying or sprinkling unknown substances - some seven times - in an intermittent manner.

2. At that very moment, Cubana de Aviación Fokker aircraft was located 25 to 30 kilometres south of Varadero, in Matanzas Province, flying at an altitude of 9,000 feet and at a speed of 400 kilometres per hour.

3. According to scheduled flights, objective radar control and recordings of radio conversations between the airplanes and ground control when the development took place, the airplane flying over the Girón corridor from north to south in a course perpendicular to the Cubana de Aviación flight was a fumigation aircraft Model S2R, register N3093M, of the civilian aircraft registry of the United States of America, operated by the State Department of that country, as stated in the flight authorization requested to the Institute of Civil Aeronautics of Cuba, and in accordance with the United States public registry of civilian aircraft. The above-mentioned airplane had taken off from Patrick United States Air Force Base, in Cocoa Beach in the state of Florida, bound for Grand Cayman.

4. The Cubana pilot immediately reported to flight control on the release of unknown substances, in the form of a white or greyish mist, by the S2R airplane. The Cuban air controller established communication with the United States aircraft and asked whether it was having any technical problem, to which the pilot's answer was "No". He was also asked about the type of aircraft he was flying, answering that it was a single-engine AY-65. That conversation is recorded on tape.

5. On 18 December 1996, the first signs of the presence of a Thrips plague appeared in Matanzas Province, at potato plantations of the Diamand variety, sowed 38 days before on the "Lenin" State Horticultural Farm, in Jovellanos Municipality. Samples of these organisms were sent to the Central Quarantine Laboratory of the National Pest Control Centre.

6. On 26 December 1996, the Cuban Ministry of Foreign Affairs presented a note of complaint to the United States Interest Section in Havana regarding the incident that had occurred in the Girón corridor, urging the United States party to take appropriate measures aimed at the clarification of the event.

7. On 12 February 1997, the United States Interest Section in Havana handed over to the Ministry of Foreign Affairs of Cuba a reply to that note, stating that on the day of the incident, the United States pilot had, during his flight, seen a Cuban commercial airplane flying below, and as he was not certain of having been seen, "following caution and safety procedures, and with the purpose of securing a positive visual contact, the pilot used the 'smoke generator' of his aircraft, in order to indicate its location" adding that "the smoke vanished and no fluid was poured from the airplane".

8. On 14 February 1997, the Central Quarantine Laboratory confirmed that the insect examined was the Thrips palmi karay, exotic to Cuban territory until that moment.

9. The Thrips palmi is indigenous to Asia. Since 1985 it has scattered across certain Caribbean zones, including Haiti, the Dominican Republic and Jamaica. It is a polyphagous phytophagan that infects practically all crops, weeds and ornamental plants. It is reported to be a vector of viruses such as that known as TSWV. It is an insect of difficult diagnosis, unknown to the majority of Cuban specialists. It is self-propagated within a field, and into neighbouring ones, disseminating mostly when seedlings, fruits and vegetal material, including topsoils, are moved from one place to another. It also scatters by aerial means, particularly its larvae. It is resistant to temperature changes. Its reproductive cycle lasts between 15 and 21 days, depending on the host plant.

10. Taking into account the levels of highest density of the insect population, it could be ascertained that the primary source of the outbreak was located on the above-mentioned "Lenin" State Horticultural Farm. Smaller outbreaks were pinpointed in fields close to the villages of Máximo Gómez and Bolondrón, also in Matanzas Province, a few kilometres away from the main source.

11. In the first half of January 1997, outbreaks of the same insect were spotted in municipalities south of Havana Province, bordering Matanzas, affecting corn, beans, pumpkins, cucumbers and other crops.

12. Once the insect was identified, the Government of Cuba adopted a programme of emergency measures to fight it, including chemical control, through the purchase of pesticides, which, in spite of its high cost, have not achieved effective results.

13. At the end of March 1997, the Government of Cuba, complying with international regulations, informed the Secretary-General and the United Nations Centre for Disarmament, about the presence of Thrips palmi karay in its territory, and notified this finding to the Food and Agriculture Organization of the United Nations (FAO) to which Cuba applied for technical and financial assistance to fight the pest.

14. At present, Thrips palmi is spread virtually throughout Matanzas and La Habana Provinces, in two municipalities of Cienfuegos Province, in some municipalities of Pinar Del Rio Province and in the Island of Youth. Its presence has not been detected in the central and eastern provinces of the country.

II. RESULTS OF THE INVESTIGATIONS

15. The S2R aircraft, register N3093M, is used by the State Department of the United States in the struggle against drug trafficking, to destroy crops. The aircraft utilizes two sprinkling systems: one for the use of aerosols and liquid particles and another for dropping solid particles. No smoke generator is known to be installed aboard this aircraft.

16. The specialists appointed by the Cuban party to clarify the event considered unlikely a voluntary or involuntary leakage of fuel or oil, which is confirmed by the answer given by the United States airplane pilot himself to the Cuban air controller.

17. The argument used by the United States party in its note of reply regarding the smoke release, appears, from the technical point of view, weak and in contradiction with the conversation held during the flight. On the other hand it is not a standard procedure established for this kind of situation. The pilot of the Cuban Airline Fokker asserts on the basis of his visual observation and his previous experience as a pilot of fumigation airplanes, that the release made by the United States aircraft was not of smoke but of a substance.

18. Bearing in mind the place where the unknown substance was released, it can be established that the most risky area for infection is a zone covering 15 to 20 kilometres to the west and 20 to 25 kilometres to the east of the Girón air corridor, although the whole territory of Matanzas Province is considered a probable infected zone. These zones match those actually infected both by the primary and secondary outbreaks.

19. Considering the insect population found on 18 December 1996, at the main source of the outbreak, specialists of the Cuban National Pest Control Centre estimated the beginning of the plague to date back to three or four previous generations. Bearing in mind the reproductive cycle of this insect, the beginning of the infection can be ascertained as approximately 21 October 1996, which was precisely the date when the United States S2R aircraft flew over this point.

20. Mindful of the distribution of the agent in countries like Haiti, the Dominican Republic and Jamaica, it would be expected that any natural occurrence would be in the eastern region of Cuban territory, the closest to those countries. Its appearance more than 600 kilometres away from that region is, therefore, odd and suspicious.

21. Although at first sight it could be expected that the height of the flight of the S2R aircraft is not the most appropriate for the dissemination of biological agents, information is available regarding experiments made by North Americans themselves in which that type of agent was dropped from even higher altitudes. On the other hand, the enduring features of the insect, mainly in its larva state, make its survival possible at these altitudes.

22. Because of its nature of being a polyphagous phytophagan that strikes and severely damages practically every crop, and is also resistant to a considerable variety of pesticides, the Thrips palmi can be considered ideal biological

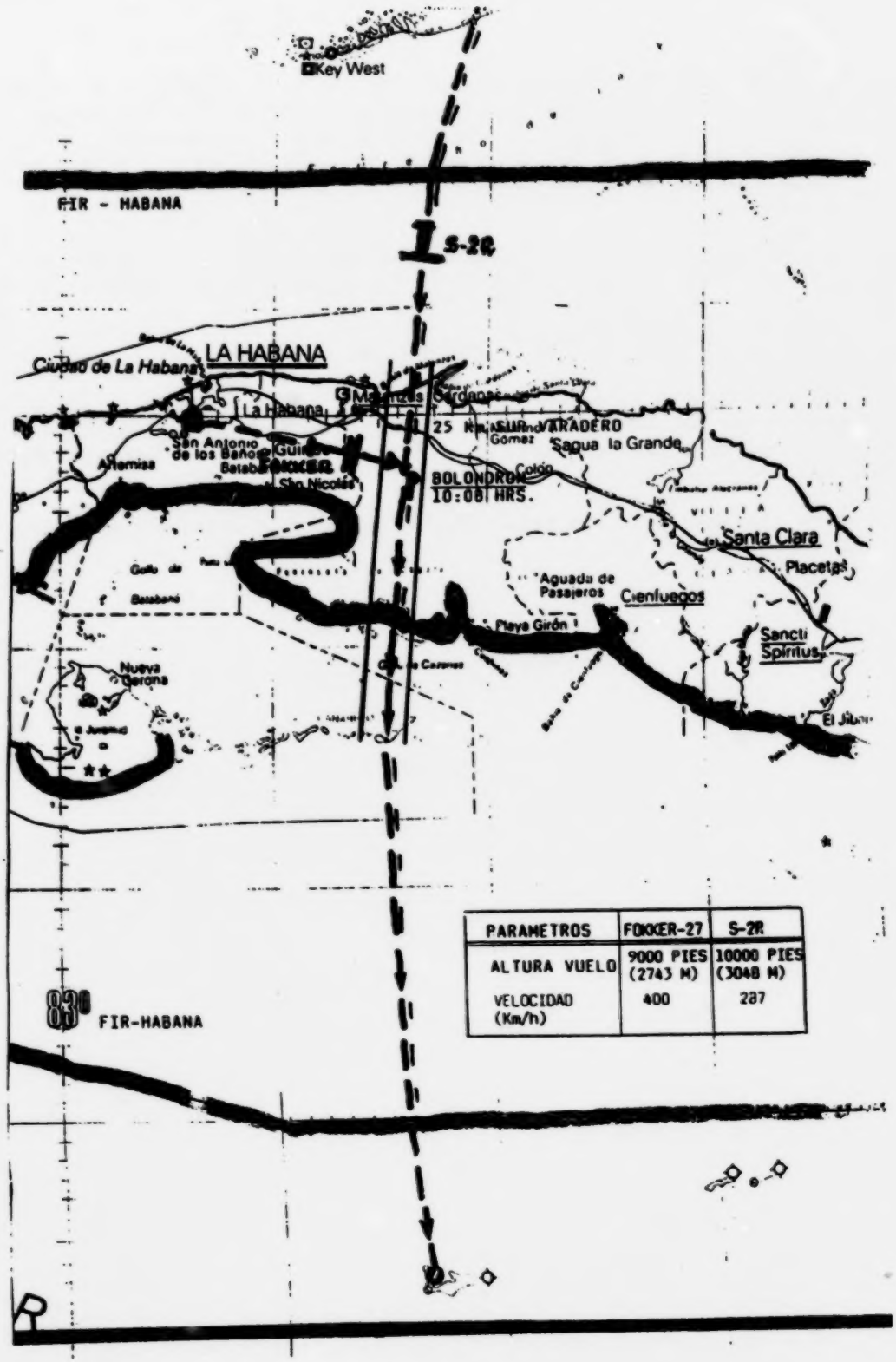
agents able to inflict heavy damage on agricultural food crops. In a document entitled "Report of the Subgroup for Investigation of Claims of Use or Escape of Agents Which Constitute Biological or Toxin Weapons", of 29 February 1996, prepared by the Federation of American Scientists, Thrips palmi are included among the invertebrata that could come within the purview of the Convention on Biological Weapons.

23. In this particular case, the behaviour of the plague in Cuba shows a polyphagia bigger than the one described in the scientific literature.

III. CONCLUSIONS

24. The analysis of the facts and the results of the investigations allow us to relate, with a high degree of accuracy, the appearance of Thrips palmi in Matanzas Province with the dropping, on 21 October 1996, of an unknown substance by an aircraft operated by the United States State Department.

25. There is reliable evidence that Cuba has once again been the target of biological aggression.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Aguada de Pasajeros
Cienfuegos
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El Jíbaro
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VELOCIDAD (Km/h) | 400 | 287
FIR-HABANA

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/52/129
30 April 1997

ORIGINAL: ENGLISH

Fifty-second session
Item 81 of the preliminary list*

MAINTENANCE OF INTERNATIONAL SECURITY

Letter dated 28 April 1997 from the Permanent Representative of Lithuania to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the Appeal of the Seimas (Parliament) of the Republic of Lithuania to the Parliaments and Heads of State and Government of the member States of the North Atlantic Treaty Organization (NATO) on the NATO enlargement, which was adopted in Vilnius on 24 April 1997.

I should be grateful if you would have the Appeal circulated as a document of the fifty-second session of the General Assembly, under item 81 of the preliminary list.

(Signed) Oskaras JUSYS
Ambassador
Permanent Representative of
Lithuania to the United Nations

* A/52/50.

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Annex

Appeal of the Parliament of Lithuania to the Parliaments and Heads of State and Government of the member States of the North Atlantic Treaty Organization, adopted in Vilnius on 24 April 1997

The Seimas of the Republic of Lithuania,

Convinced that NATO enlargement will help achieve the ultimate goal - the creation of a stable, secure and unified Europe, the implementation of market reform, and the strengthening of democracy and the Euro-Atlantic community,

Keeping in mind the 1996 Lisbon document which confirms the inalienable right of each State freely to choose or alter its security arrangements, including treaties on alliances, and which is in full conformity with international agreements to which Lithuania is a party, including the 29 July 1991 Treaty between the Republic of Lithuania and the Russian Soviet Federative Socialist Republic on the Principles of Relations between States, under which Russia expressed its consent to Lithuania's independent implementation of its sovereignty in the sphere of defence and security, as well as in its choice of the system of collective security,

Emphasizing that Lithuania, being an integral part of Western civilization, cherishes democracy, freedom of the individual and the rule of law and seeks to exist in Europe united on the basis of shared values,

Underscoring the seminal role of the Baltic region for European security,

Confirming Lithuania's resolve to contribute together with the other Baltic States to European security through its active participation in the Partnership for Peace Programme, the peacekeeping effort, bilateral operations and dialogues with NATO member States,

Noting Lithuania's conformity to the NATO membership criteria, and also the cooperation between the Baltic States and their determination to fulfil the alliance's membership obligations,

Convinced that in the event of failure to include the Baltic States in the NATO enlargement process their progress towards democracy and stability may be jeopardized,

Understanding the unity of the Baltic States as stated in the 2 December 1995 resolution of the Baltic Assembly session in Tallinn that the achievement of one of the three States shall be regarded as the achievement of all three,

Aware that the accession of at least one of the Baltic States during the first stage of NATO enlargement would be beneficial to all three and would be evidence that the Euro-Atlantic institutions are opening up for all three Baltic States and would consolidate the advances of the Baltic States and preclude the

artificial separation of the Baltic States from the other Central European States,

Urges the Governments of the NATO member States and the North Atlantic Council, during the Madrid summit in July 1997:

To invite the Baltic States or at least one Baltic State to start NATO accession negotiations together with the first alliance candidates,

To disapprove of the attempts to bar the Baltic States from participating in the Euro-Atlantic integration processes as full members.

UNITED NATIONS **A S**

General Assembly
Security Council

Distr.
GENERAL

A/52/130
S/1997/345
30 April 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Items 10, 38, 80 and 81 of the
preliminary list*
REPORT OF THE SECRETARY-GENERAL ON
THE WORK OF THE ORGANIZATION
SUPPORT BY THE UNITED NATIONS SYSTEM
OF THE EFFORTS OF GOVERNMENTS TO
PROMOTE AND CONSOLIDATE NEW OR
RESTORED DEMOCRACIES
CONVENTION ON THE PROHIBITION OF THE
DEVELOPMENT, PRODUCTION AND
STOCKPILING OF BACTERIOLOGICAL
(BIOLOGICAL) AND TOXIN WEAPONS AND
ON THEIR DESTRUCTION
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fifty-second year

Letter dated 30 April 1997 from the Permanent Representatives of Azerbaijan and Georgia to the United Nations addressed to the Secretary-General

We have the honour to submit herewith the text of resolution 1119 (1997) on conflicts in Transcaucasia adopted by the Parliamentary Assembly of the Council of Europe on 22 April 1997.

We should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under items 10, 38, 80 and 81 of the preliminary list, and of the Security Council.

(Signed) Eldar KOULIEV
Ambassador
Permanent Representative of
Azerbaijan to the United Nations

(Signed) Peter CHKHEIDZE
Ambassador
Permanent Representative of
Georgia to the United Nations

* A/52/50.

ANNEX

[Original: English, French and Russian]

Resolution 1119 (1997) on conflicts in Transcaucasia adopted by the Parliamentary Assembly of the Council of Europe on 22 April 1997

1. The Assembly considers that the holding of the ceasefires in force in the Transcaucasian conflicts, particularly in Abkhazia and Nagorny Karabakh since May 1994, should help to bring about political stabilization in the zones of tension.

2. Following the various hearings held by its Committee on Relations with European Non-Member Countries, it hopes that rapid, decisive progress towards a political settlement of these conflicts will be made.

3. The three Transcaucasian countries - Armenia, Azerbaijan and Georgia - all hold special guest status and have applied for full membership of the Council of Europe. The Assembly considers that a genuine political will by all the parties to settle these conflicts would help to speed up the accession procedures.

4. The Assembly appeals to all parties directly or indirectly involved in these conflicts to participate constructively in the mediation work conducted on the ground, particularly by the United Nations, the Commonwealth of Independent States (CIS) and the Organization for Security and Cooperation in Europe (OSCE).

5. Even though these two conflicts are different in nature, the Assembly stresses that their political settlement must be negotiated by all parties involved, drawing in particular on the following principles, which are based on the 1975 Helsinki Final Act and the 1990 Charter of Paris:

(i) Inviolability of borders;

(ii) Guaranteed security for all peoples in the areas concerned, particularly through multinational peacekeeping forces;

(iii) Extensive autonomy status for Abkhazia and Nagorny Karabakh to be negotiated by all the parties concerned;

(iv) Right of return of refugees and displaced persons and their reintegration while respecting their human rights.

6. The Assembly considers that, in the Transcaucasian countries, the Council of Europe should make a genuine contribution to establishing a State based on the rule of law and pluralist democracy, the protection of human rights and the creation of a social market economy.

(a) In connection with Abkhazia:

7. The Assembly is interested to note certain signs of rapprochement of the positions of Tbilisi and Sukhumi and hopes that a negotiated political settlement will soon be reached on the basis of the above-mentioned principles.

8. It hopes that the efforts of the parties concerned and also of the United Nations, OSCE and the Russian Federation will soon lead to an institutional balance acceptable to both Tbilisi and Sukhumi, so that the refugees can return under optimum security conditions and the populations of the region can resume their peaceful and prosperous living conditions.

(b) With regard to Nagorny Karabakh:

9. The Assembly welcomes the continued dialogue between Armenian and Azeri parliamentarians, particularly as part of the Seminar on the Conflicts in Transcaucasia organized by its Committee on Relations with European Non-Member Countries in Strasbourg, France, on 26 January 1997, and welcomes in this connection the resumption of the activities of the OSCE Minsk Group on Nagorny Karabakh, which it encourages to continue negotiations with a view to securing an early settlement of the conflict.

10. It appeals to all parties to the conflict to intensify direct negotiations with a view to achieving a political settlement to the conflict guaranteeing the restitution of occupied territories and the return of refugees and displaced persons, satisfactory alternative status as well as security for Nagorny Karabakh.

11. Finally, it expresses the wish that in the long run the three Transcaucasian countries - Armenia, Azerbaijan and Georgia - will envisage creating a community of Transcaucasian States and the setting up of a joint parliamentary assembly.

UNITED NATIONS **A S**

General Assembly
Security Council

Distr.
GENERAL

A/52/130*
S/1997/345*
9 May 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Items 10, 38, 81 and 82 of the
preliminary list**
REPORT OF THE SECRETARY-GENERAL ON
THE WORK OF THE ORGANIZATION
SUPPORT BY THE UNITED NATIONS SYSTEM
OF THE EFFORTS OF GOVERNMENTS TO
PROMOTE AND CONSOLIDATE NEW OR
RESTORED DEMOCRACIES
MAINTENANCE OF INTERNATIONAL SECURITY
REVIEW OF THE IMPLEMENTATION OF THE
DECLARATION ON THE STRENGTHENING OF
INTERNATIONAL SECURITY

SECURITY COUNCIL
Fifty-second year

Letter dated 30 April 1997 from the Permanent Representatives of Azerbaijan and Georgia to the United Nations addressed to the Secretary-General

We have the honour to submit herewith the text of resolution 1119 (1997) on conflicts in Transcaucasia adopted by the Parliamentary Assembly of the Council of Europe on 22 April 1997.

We should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under items 10, 38, 81 and 82 of the preliminary list, and of the Security Council.

(Signed) Eldar KOULIEV
Ambassador
Permanent Representative of
Azerbaijan to the United Nations

(Signed) Peter CHKHEIDZE
Ambassador
Permanent Representative of
Georgia to the United Nations

* Reissued for technical reasons.

** A/52/50.

ANNEX

[Original: English, French and Russian]

Resolution 1119 (1997) on conflicts in Transcaucasia adopted by the Parliamentary Assembly of the Council of Europe on 22 April 1997

1. The Assembly considers that the holding of the ceasefires in force in the Transcaucasian conflicts, particularly in Abkhazia and Nagorny Karabakh since May 1994, should help to bring about political stabilization in the zones of tension.

2. Following the various hearings held by its Committee on Relations with European Non-Member Countries, it hopes that rapid, decisive progress towards a political settlement of these conflicts will be made.

3. The three Transcaucasian countries - Armenia, Azerbaijan and Georgia - all hold special guest status and have applied for full membership of the Council of Europe. The Assembly considers that a genuine political will by all the parties to settle these conflicts would help to speed up the accession procedures.

4. The Assembly appeals to all parties directly or indirectly involved in these conflicts to participate constructively in the mediation work conducted on the ground, particularly by the United Nations, the Commonwealth of Independent States (CIS) and the Organization for Security and Cooperation in Europe (OSCE).

5. Even though these two conflicts are different in nature, the Assembly stresses that their political settlement must be negotiated by all parties involved, drawing in particular on the following principles, which are based on the 1975 Helsinki Final Act and the 1990 Charter of Paris:

(i) Inviolability of borders;

(ii) Guaranteed security for all peoples in the areas concerned, particularly through multinational peacekeeping forces;

(iii) Extensive autonomy status for Abkhazia and Nagorny Karabakh to be negotiated by all the parties concerned;

(iv) Right of return of refugees and displaced persons and their reintegration while respecting their human rights.

6. The Assembly considers that, in the Transcaucasian countries, the Council of Europe should make a genuine contribution to establishing a State based on the rule of law and pluralist democracy, the protection of human rights and the creation of a social market economy.

(a) In connection with Abkhazia:

7. The Assembly is interested to note certain signs of rapprochement of the positions of Tbilisi and Sukhumi and hopes that a negotiated political settlement will soon be reached on the basis of the above-mentioned principles.

8. It hopes that the efforts of the parties concerned and also of the United Nations, OSCE and the Russian Federation will soon lead to an institutional balance acceptable to both Tbilisi and Sukhumi, so that the refugees can return under optimum security conditions and the populations of the region can resume their peaceful and prosperous living conditions.

(b) With regard to Nagorny Karabakh:

9. The Assembly welcomes the continued dialogue between Armenian and Azeri parliamentarians, particularly as part of the Seminar on the Conflicts in Transcaucasia organized by its Committee on Relations with European Non-Member Countries in Strasbourg, France, on 26 January 1997, and welcomes in this connection the resumption of the activities of the OSCE Minsk Group on Nagorny Karabakh, which it encourages to continue negotiations with a view to securing an early settlement of the conflict.

10. It appeals to all parties to the conflict to intensify direct negotiations with a view to achieving a political settlement to the conflict guaranteeing the restitution of occupied territories and the return of refugees and displaced persons, satisfactory alternative status as well as security for Nagorny Karabakh.

11. Finally, it expresses the wish that in the long run the three Transcaucasian countries - Armenia, Azerbaijan and Georgia - will envisage creating a community of Transcaucasian States and the setting up of a joint parliamentary assembly.